

### **REMARKS**

In the Office Action, claims 1, 2, 4-22, 24-32 and 44-50 were rejected by the Examiner. Applicants respectfully request reconsideration of the application in view of the remarks set forth below.

#### **Request for Interview**

Applicants respectfully note that M.P.E.P. 706 states that the “goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to ... reply completely at the earliest opportunity” and that the Examiner “should never overlook the importance of his or her role in allowing claims which properly define the invention.” Applicants further note that M.P.E.P. 707.02 states that “supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them.” Applicants respectfully point out that the original application was filed in 2001 and that the office action mailed on April 18, 2006, contained rejections based on prior art that had not been introduced in the previous five years of examination. Furthermore, Applicants respectfully submit that the present rejections are no more on point than any of the previous rejections that have been successfully overcome. Therefore, based on the remarks below, Applicants respectfully request withdrawal of all rejections and allowance of the present claims. However, if the Examiner chooses to maintain any rejections of the present claims, Applicants request a telephone conference with the Examiner and the Examiner’s supervisor in order to facilitate moving the present application towards issuance at the earliest opportunity.

### **First Rejection under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 1-2, 4-6, 8-16, 18-22, 24, and 44-47 under 35 U.S.C. § 103(a) as being unpatentable over Raff (U.S. Patent No. 6,785,868) (hereinafter the “Raff reference” or “Raff”) in view of Gotou (U.S. Patent No. 6,020,828) (hereinafter the “Gotou reference” or “Gotou”).

Specifically, with regard to the independent claims, the Examiner stated:

As per claim 1, Raff teaches a device for managing a combination of family-related matters and work-related matters, the device comprising: a processor (Figure 5); a calendaring program running on the processor (Column 9 line 63 - Column 10 line 33); calendaring program adapted to provide at least one calendar corresponding to family-related matters (Column 10 lines 39-52), at least one calendar corresponding to work-related matters (Column 10 lines 39-52), and at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Column 10 lines 53-63), the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family-related matters and the work-related matters (Column 10 lines 53-63); and an input/output stage operably coupled to the processor and adapted to communicate with a remote device to update the calendars (col.5, lines 41-47) corresponding to family-related matters and the at least one calendar corresponding to work-related matters (Column 8 lines 54-65). However, Raff fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

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As per independent claim 13, Raff teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a first device designated as a hub (Column 11 lines 64-67); a plurality of second devices (Column 12 lines 1-12); a host computer adapted to communicate with the first device and with the plurality of second devices (Column 11 line 64 - Column 12 line 12); and a calendaring

program running on at least the first device (Column 9 line 63 - Column 10 line 33), the calendaring program adapted to provide at least one calendar corresponding to family-related matters (Column 10 lines 39-52), at least one calendar corresponding to work-related matters (Column 10 lines 39-52), and at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Column 10 lines 53-63), the calendaring program adapted to update the calendars in response to communication between the first device and the host computer, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family-related matters and the work-related matters (Column 8 lines 54-65). However, Raff fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

Office Action, pages 3-4 and 6-7.

Applicants respectfully traverse this rejection. The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). Applicants respectfully assert that Examiner has failed to establish a *prima facie* case of obviousness, as the prior art cited by Examiner neither includes all claimed elements nor provides a teaching or suggestion to combine.

The present application relates generally to the field of organization and scheduling methods and, more particularly, to a method for management of one's family-related and work-related matters. Accordingly, claims 1 and 13 call for a "calendar program adapted to provide at least one calendar corresponding to *work-related matters* and at least one calendar corresponding to *family-related matters*." (Emphasis added). Distinct "work-related" and "family-related" calendars may "provide the family manager with a dual access tool that provides a separation as well as a quick and smooth transition between work-related information and personal-related information." Application, page 11, lines 15-17. Claims 1 and 13 further include "at least one calendar corresponding to a *merger of family-related matters and work-related matters* adapted to *display icons that distinguish between the family-related matters and the work-related matters*" (Emphasis added) for the purpose of displaying *both* "work-related matter" and "family-related matters" in a manner that is easy to distinguish between these two categories at a glance.

In contrast, the Raff and Gotou references fail to disclose distinct "work-related" and "family-related" calendars or a merged calendar of "work-related matters" and "family-related matters." The calendars disclosed by Raff contain items that relate both to family matters and work matters, but such calendars do not *distinguish* calendar items on the basis of being "work-related" and "family-related." For example, Figure 15 of the Raff reference illustrates a husband's personal calendar alongside the personal calendars of other family members. Raff, Figure 15. The husband's personal calendar lists items which arguably constitute "work-related matters," such as "MEETING W/BOSS," as well as items which arguably constitute personal or "family-related matters," such as

“DENTIST,” but the calendar fails to label items as “work-related” or “family-related.”  
*Id.*

Similarly, Figure 17 of the Raff reference illustrates a calendar constituting a merger of items from a husband’s personal calendar and the personal calendars of other family members. Raff, Figure 17. Instead of distinguishing the items based on whether items are “work-related” or “family-related” matters, however, the calendar notes only the family member from whose personal calendar an item originates. *Id.* Moreover, the calendar in Figure 17 lists items which arguably constitute “work-related matters,” such as “MEETING W/BOSS,” as well as items which arguably constitute personal or “family-related matters,” such as “DENTIST,” but the calendar fails to label items as “work-related” or “family-related.” *Id.* Since the Gotou reference does not disclose any information that obviates the claimed elements lacking in Raff, the combination of Raff-Gotou fails to disclose all of the claimed elements, and thereby fails to establish a *prima facie* case of obviousness.

Even if, assuming arguendo, all of the claimed elements were present among Raff-Gotou, however, the references do not provide a teaching or motivation to combine. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Further, when prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of

making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

While Gotou discloses using icons to distinguish among categories of contacts, when viewed together with Raff, the references do not provide a teaching or motivation to combine; on the contrary, the references teach away from combination. The Gotou reference discloses numerous icons for display on a pager, which signify multiple categories of contacts. *See* Gotou, column 2, line 66, to column 3, line 15; Figure 3A. Claims 1 and 13 specifically note that the merged calendar is “adapted to display icons that *distinguish between the family-related matters and the work-related matters.*” (Emphasis added). The Raff reference, however, teaches away from using the Gotou icons to distinguish between these two distinct categories of calendar matters. Figure 17 of the Raff reference discloses the use of one or two letters or numbers to identify calendar items originating from another user, but items from the user’s own calendar lack the identification. Raff, Figure 17. Upon substituting Gotou icons for the one or two characters in Figure 17 of the Raff reference, some calendar matters would not utilize any icons at all. *Id.* Furthermore, any calendar combining teaching from Raff and Gotou would fail to display icons distinguishing “family-related” and “work-related” calendar content, and would even leave some items without an icon to distinguish them from any other categories of matters.

In view of the arguments set forth above, Applicants respectfully request that the Examiner withdraw the rejection of independent claims 1 and 13 and provide an indication of allowance. Further, Applicants request that the Examiner withdraw the

rejection of dependent claims 2, 4-6, 8-12, 14-16, 18-22, 24, and 44-47 based on their respective dependencies and for unique matter recited in each dependent claim.

**Second Rejection under 35 U.S.C. § 103**

The Examiner rejected claims 7 and 17 under 35 U.S.C. § 103(a) as being unpatentable over the Raff and Gotou references in view of Edwards et al. (U.S. Application No. 2002/0078379) (hereinafter the “Edwards reference” or “Edwards”). Specifically, the Examiner stated:

As per claim 7, Raff-Gotou fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine the private computer of Edwards with the method of Raff-Gotou. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

Claim 17 is similar in scope to claims 7 respectively, and is therefore rejected under similar rationale.

Office Action, pages 9-10.

Applicants respectfully traverse this rejection. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

As discussed above, the Raff and Gotou references do not teach *all* of the claimed elements of independent claims 1 and 13. As the Edwards reference fails to obviate the claimed elements not disclosed by Raff and Gotou, the sum of the references consequently fails to teach *all* of the claimed elements found in dependent claims 7 and 17. Accordingly, the Examiner has not established a *prima facie* case of obviousness. Applicants respectfully request that the Examiner withdraw the rejection of claims 7 and 17 based on their respective dependencies on claims 1 and 13.

### **Third Rejection under 35 U.S.C. § 103**

The Examiner rejected claims 25-32 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of the Edwards reference. Specifically, the Examiner stated:

As per independent claim 25, Raff teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a family/work device (Figure 15); a plurality of work devices (Column 12 lines 1-10); a plurality of family devices (Column 12 lines 1-10) a public host computer communicatively coupled to the family/work device and to the plurality of family devices, the public host computer maintaining family-related matters (Column 12 lines 1-10); and a calendaring program running on at least the family/work device (Column 10 lines 10-52), at least one calendar corresponding to work-related matters (Column 10 lines 10-52), the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the family/work device and the host computers (Column 9 lines 9-62). Raff fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine the private computer of Edwards with the method of Raff. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

Office Action, pages 10-11.



Applicants respectfully traverse this rejection. The present application relates generally to the field of organization and scheduling methods and, more particularly, to a method for management of one's family-related and work-related matters. Accordingly, claim 25 calls for "at least one calendar corresponding to *family-related matters*" and "at least one calendar corresponding to *work-related matters*." (Emphasis added). Moreover, the application discloses a system of utilizing a *barrier* to separate and organize a family manager's personal information from the manager's work information. Application, page 15, lines 1-10; page 17, line 20, to page 18, line 6. Arguably, claim 25 recites "a private host computer communicatively coupled to the family/work device and to the plurality of work devices, *the private host computer maintaining work-related matters*," and "a public host computer communicatively coupled to the family/work device and to the plurality of work devices, *the public host computer maintaining work-related matters*." (Emphasis added). In contrast, the references fail to disclose distinct "work-related" and "family-related" calendars or a system where "work-related matters" and "work devices" are maintained separately from "family-related matters" and "family devices" by distinct private and public host computers.

As discussed previously, the calendars disclosed by Raff contain items that relate both to family matters and work matters, but such calendars do not *distinguish* calendar items on the basis of being "work-related" and "family-related." Therefore, claims 25-32 distinguish over the cited reference for the reasons discussed above.

Raff also fails to disclose a system whereby a "family/work" device maintains "work-related" calendars coupled with "work devices" and a "private host computer maintaining work-related matters," separating "family-related" calendars coupled with "family devices"

and a “public host computer maintaining family-related matters.” While the Raff reference discloses the use of a public host computer to share calendars among family members, in the Raff system, *all user calendar information* is maintained by the public host computer. *Id.* at column 12, lines 1-10; Figure 13. Raff notes that “[a]fter synchronization, the two databases [of calendar information] will contain the same information.” *Id.* at column 8, lines 63-64. Claim 25, on the other hand, states specifically that the “work-related” matters are maintained by the “private host computer,” as contrasted with the “family-related” matters maintained by the “public host computer.”

Even viewed in combination with the Edwards reference, the references do not provide a teaching or motivation to combine. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Further, when prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

When Edwards is viewed together with Raff, the references do not provide a teaching or motivation to combine; on the contrary, the references teach away from combination. The Edwards reference relates to accessing a private network for the purpose of providing security while connecting a client computer to a private office network. *See* Edwards, [0002]; [0010]-[0012]. Edwards therefore suggests

*interconnecting* a private computer and a public computer, where information from the computers would be available to each other. *Id.* Claim 25, however, calls for keeping “work-related” calendar information on a private host computer distinct from a public host computer maintaining “family-related” matters, as the application discloses a system to separate a family manager’s work information from family information. Application, page 15, lines 1-10; page 17, line 20, to page 18, line 6. Accordingly, the Edwards reference teaches away from combination. Without a teaching from the art to combine, the references fail to establish a *prima facie* case of obviousness.

In view of the arguments set forth above, Applicants respectfully request that the Examiner withdraw the rejection of independent claim 25 and provide an indication of allowance. Further, Applicants request that the Examiner withdraw the rejection of dependent claims 26-32 based on their respective dependencies and for unique matter recited in each dependent claim.

#### **Fourth Rejection under 35 U.S.C. § 103**

The Examiner rejected claims 48-50 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of the Edwards reference and further in view of the Gotou reference. Specifically, the Examiner stated:

As per claim 48, Raff-Edwards fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff-Edwards. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

As per claim 49, Raff-Edwards-Gotou teaches the device wherein the icons comprise a first icon associated with the family-

related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon (Gotou, Column 3 lines 1-15).

As per claim 50, Raff-Edwards-Gotou teaches the device wherein the first icon resembles a house and wherein the second icon resembles an office building (Gotou, Column 3 lines 1-15).

Office Action, page 13.

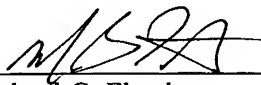
Applicants respectfully traverse this rejection. As the Raff and Gotou references do not teach *all* claimed elements of independent claim 1, as discussed above, the references consequently fail to teach all claimed elements of dependent claims 48-50. Accordingly, the Examiner has not established a *prima facie* case of obviousness. Applicants respectfully request that the Examiner withdraw the rejection of dependent claims 48-50 based on their respective dependencies and for unique matter recited in each dependent claim.

**Conclusion**

In view of the remarks set forth above, Applicants respectfully request allowance of claims 1, 2, 4-22, 24-32, and 24-50.

Respectfully submitted,

Date: July 18, 2006

  
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